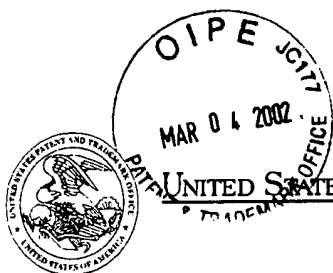


#3

COPY OF PAPERS  
ORIGINALLY FILED



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/975,719	10/10/2001	Frederick M. Ausubel	00786/361003

CONFIRMATION NO. 1062

21559  
CLARK & ELBING LLP  
176 FEDERAL STREET  
BOSTON, MA 02110-2214

FORMALITIES LETTER



\*OC000000007181351\*

Date Mailed: 12/11/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

*A copy of this notice **MUST** be returned with the reply.*

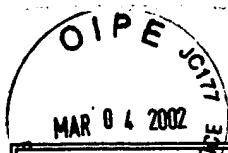
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

03/08/2002 AOSMAN1 00000001 09975719

01 FC:105

130.00 OP



COPY OF PAPERS  
ORIGINALLY FILED

PATENT  
ATTORNEY DOCKET NO. 00786/361003

Certificate of Mailing: Date of Deposit: February 25, 2002  
I hereby certify under 37 C.F.R. § 1.8(a) that this correspondence is being deposited with the United States Postal Service as **first class mail** with sufficient postage on the date indicated above and is addressed to the Box Missing Parts, Assistant Commissioner for Patents, Washington, D.C. 20231.  
Guy E. Beardsley  
Printed name of person mailing correspondence      Signature of person mailing correspondence

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Frederick M. Ausubel et al.      Art Unit: 1631  
Serial No.: 09/975,719      Examiner: Not yet assigned  
Filed: October 10, 2001      Customer No.: 21559  
Title: VIRULENCE-ASSOCIATED NUCLEIC ACID SEQUENCES AND USES THEREOF

Box Missing Parts  
Assistant Commissioner for Patents  
Washington, D.C. 20231

REPLY TO NOTICE TO FILE MISSING PARTS

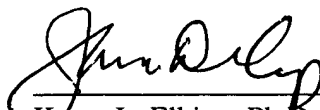
In reply to the Notice to File Missing Parts of Application mailed December 11, 2001 (a copy of which is enclosed), Applicants as a large entity submit herewith the following:

- ☒ A Combined Declaration and Power of Attorney in compliance with 37 C.F.R. § 1.63.
- ☒ Payment of the surcharge of \$130.00 for late filing of the basic filing fee/declaration.
- ☒ Enclosed is a petition to extend the period for replying for 1 month, to and including February 25, 2002. Also enclosed is a check for \$110.00 for the required fee under 37 C.F.R. § 1.17(a).

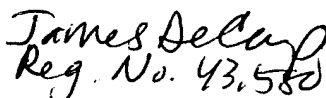
If there are any charges, or any credits, please apply them to Deposit Account No. 03-2095.

Respectfully submitted,

Date: 25 February 2002

  
Karen L. Elbing, Ph.D.  
Reg. No. 35,238

Clark & Elbing LLP  
176 Federal Street  
Boston, MA 02110  
Telephone: 617-428-0200  
Facsimile: 617-428-7045

  
Reg. No. 43,580

